



#4
PATENT
Attorney Docket No. 206060
7/6/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kovesdi et al.

Group Art Unit: Unassigned

Application No. 09/780,526

Examiner: Unassigned

Filing Date: February 9, 2001

For: METHODS OF PREPARING AND USING A
VIRAL VECTOR LIBRARY

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that any reference listed thereon is prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that they represent art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that the references are not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☒ **within** any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); (b) within three months of the date of entry of the national stage as set forth in § 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ **after** (a), (b), (c) or (d) above, but before the mailing date of a final action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and includes *one* of:
- ☐ the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below).
or
☐ the fee of \$180 set forth in § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under § 1.113 or a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under § 1.97(e) (see "Statement under § 1.97(e)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a Notice of Allowance under § 1.311, and on or before payment of the issue fee, and **within** thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under § 1.704(d) (see "Statement under § 1.704(d)" below), and the fee of \$180 as set forth in § 1.17(p) (see "Fees" below).
- NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with §§ 1.97 and 1.98 is being filed.

Copies of the References

- ☒ Copies of the references listed on the enclosed Form 1449 are enclosed herewith. Attached to each reference not in the English language is a concise explanation of its relevance pursuant to § 1.98(a)(3).
- ☐ A copy of a foreign search report from a counterpart foreign application is enclosed herewith.
- ☐ The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and a copy of each reference was furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references.

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The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC § 120 in which copies of the reference were previously furnished are set out below:

U.S. APPLICATIONS		STATUS (CHECK ONE)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

Statement under § 1.97(e)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under § 1.704(d)

- ☐ The **undersigned** hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☒ No fee is owed by the applicant(s).
- ☐ The **IDS Fee of \$180** under § 1.17(p) is enclosed herewith.

Method Of Payment Of Fees

- ☐ Attached is a check in the amount of \$
- ☐ Charge Deposit Account No. 12-1216 in the amount of \$180.00. (A duplicate copy of this communication is enclosed for that purpose.)

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Authorization To Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)

Instructions As To Overpayment

- ☒ Credit Account No. 12-1216.
☐ Refund.

Respectfully submitted,



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Date: March 12, 2001

Please type a plus sign (+) inside this box →



PTO/SB/08A/B (10-96)

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<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; font-size: 24px; line-height: 1;"> O I P E </div> <div style="position: absolute; top: 0; right: 0; width: 100%; height: 100%; border: 1px solid black; border-radius: 50%; text-align: center; font-size: 24px; line-height: 1;"> J C I T I Z E </div> <div style="position: absolute; top: 10%; left: 10%; font-size: 18px; font-weight: bold;"> MAR 1 4 2001 </div> <div style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%); font-size: 12px; font-weight: bold;"> PATENT & TRADEMARK OFFICE </div> </div>			Complete if Known	
			Application Number	09/780,526
			Filing Date	February 9, 2001
			First Named Inventor	KOVESDI, Imre
			Group Art Unit	
			Examiner Name	
Attorney Docket Number	206060			
Sheet 1 of 2				

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Filing Date If Appropriate
		Patent Number	Kind Code					
	AA	5,989,553		Johnston et al.	11-23-1999			
	AB	5,981,505		Weiner et al.	11-09-1999			
	AC	5,958,672		Short	09-28-1999			
	AD	5,955,275		Kamb	09-21-1999			
	AE	5,939,250		Short	08-17-1999			
	AF	5,830,876		Weiner et al.	11-03-1998			
	AG	5,817,637		Weiner et al.	10-06-1998			
	AH	5,783,386		Jacobs, Jr. et al.	07-21-1998			
	AI	5,703,057		Johnston et al.	12-30-1997			
	AH	5,622,699		Ruoslahti et al.	04-22-1997			
	AJ	5,593,972		Weiner et al.	01-14-1997			
	AK	5,270,170		Schatz et al.	12-14-1993			

FOREIGN PATENT DOCUMENTS

Examiner Initials ¹	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass	Translation	
		Office	Number	Kind Code					Yes	No*
	AL	WO	00/05406	A	M & E Biotech	02-03-2000				
	AM	WO	99/64582	A	Introgene	12-16-1999				
	AN	WO	99/45151	A	Mattson	09-10-1999				
	AO	WO	99/41402	A	Maxygen	08-19-1999				
	AP	WO	99/41383	A	Maxygen	08-19-1999				
	AQ	WO	99/41369	A	Maxygen	08-19-1999				
	AR	WO	99/41368	A	Maxygen	08-19-1999				

* A concise statement of relevance is being submitted in lieu of a translation. 37 CFR § 1.98(b).

Examiner SigNat.	Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

h 1449A/B/PTO

(Use as many-sheets as necessary)

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Of

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Application Number

09/780,526

Filing Date

February 9, 2001

First Named Inventor

KOVESDI, Imre

Group Art Unit

Examiner Name

Attorney Docket Number

206060

[illegible]

Examiner
SigNat.

Date Considered

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.